

REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)
S63.2-10389-US01

I hereby declare that:

Each inventor's residence, mailing address and citizenship are stated below next to their name.

I believe the inventors named below to be the original and first inventor(s) of the subject matter which is described and claimed in patent number 6,019,789, granted February 1, 2000 and for which a reissue patent is sought on the invention entitled Expandable Unit Cell and Intraluminal Stent.

the specification of which

☐ is attached hereto.

☒ was filed on February 1, 2002 as reissue application number 10/061,458

and was amended on February 1, 2002, April 22, 2005 and November 21, 2005.
(If applicable)

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

☐ I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b). Attached is form PTO/SB/02B (or equivalent) listing the foreign applications.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☒ by reason of a defective specification or drawing.

☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.

☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

The patent specification, for example at column 2, lines 29-32, and claims, for example at column 10, lines 14-18, include at least one error in describing the expansion characteristics of a unit cell, which are correctly illustrated in Figures 3A & 3B. For example, the specification and claim 1 erroneously recite a looped member extremity moving "axially inwardly," which is believed to render the patent at least partially inoperative or invalid.

Broadening claims are directed to stent structure, and do not include functional limitations as recited in the patent claims. The broadening claims cover subject matter not covered by the patent claims. For example, the patent claim 1 recites limitations such as a "looped member having an axial extremity which moves axially inwardly," which are not included in the broadening claims.

All errors which are being corrected in the reissue application up to the time of filing of this declaration arose without any deceptive intention on the part of the applicant.

(Page 1 of 2)

This collection of information is required by 37 CFR 1.176. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)		Docket Number (Optional) S63.2-10389-US01	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant.			
Note: To appoint a power of attorney, use form PTO/SB/81.			
Correspondence Address: Direct all communications about the application to:			
<input checked="" type="checkbox"/> The address associated with Customer Number:		00490	
OR			
<input type="checkbox"/> Firm or Individual Name			
Address			
City		State	Zip
Country			
Telephone		Email	
WARNING:			
<p>Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.</p>			
Full name of sole or first inventor (given name, family name) Linh A. Dinh			
Inventor's signature		Date	
Residence Santa Clara		Citizenship U.S.	
Mailing Address 2233 Augusta Place, Santa Clara, CA 95051			
Full name of second joint inventor (given name, family name) Loc X. Phan			
Inventor's signature		Date	
Residence San Jose		Citizenship U.S.	
Mailing Address 1197 Fargate Circle, San Jose, CA 95131			
<input checked="" type="checkbox"/> Additional joint inventors or legal representative(s) are named on separately numbered sheets forms PTO/SB/02A or 02LR attached hereto.			

DECLARATION	ADDITIONAL INVENTOR(S) Supplemental Sheet
	Page <u> </u> of <u> </u>

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Robert		Eury	
Inventor's Signature		Date	
Cupertino Residence: City	CA State	U.S. Country	U.S. Citizenship
10376B Lockwood Drive			
Mailing Address			
Cupertino City	CA State	95014 Zip	U.S. Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Irina		Pomerantseva	
Inventor's Signature		Date	
Wakefield Residence: City	MA State	U.S. Country	U.S. Citizenship
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Mailing Address			
Wakefield City	MA State	01880 Zip	U.S. Country
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Michael		Froh	
Inventor's Signature		Date	
<i>Michael Froh</i>		3-24-2010	
Mountain View Residence: City	CA State	U.S. Country	U.S. Citizenship
3433 Woodstock Lane			
Mailing Address			
Mountain View City	CA State	94040 Zip	U.S. Country

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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